

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SYLVIA LONG,

Plaintiff,

v.

H&P CAPITAL, INC,

Defendant.

§
§
§
§
§
§
§
§
§

Civil No. 3:11-cv-00547

PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

NOW COMES Plaintiff, SYLVIA LONG (“Plaintiff”), by and through her attorneys, KROHN & MOSS, LTD., and in support of her Motion for Summary Judgment against Defendant, H&P CAPITAL, INC. (“Defendant”), states:

1. Plaintiff filed her Complaint against Defendant alleging unlawful debt collection practices in violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“FDCPA”).

2. For the reasons set forth in Plaintiff’s accompanying Brief in Support of its Motion for Summary Judgment, no genuine issue of material fact exists as to whether Defendant violated §§ 1692e, 1692e(5), and 1692e(10) of the FDCPA. Accordingly, Plaintiff’s Motion should be granted.

3. Further, Pursuant to Local Rule 56.3(b), Plaintiff’s accompanying Brief in support of this instant Response will contain each of the matters required under Local Rule 56.3(a).

WHEREFORE, for the reasons set forth in the accompanying Brief in support of Plaintiff’s Motion for Summary Judgment, Plaintiff respectfully prays that Plaintiff’s Motion be denied.

RESPECTFULLY SUBMITTED,

By: /s/ Ryan Lee
Ryan Lee
Krohn & Moss, Ltd.
10474 Santa Monica Blvd, Suite 401
Los Angeles, CA 90025
PH: 323-988-2400 x. 242
rlee@consumerlawcenter.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 19, 2013, I electronically filed with the Clerk of Court the foregoing **Plaintiff's Response and Brief in Opposition to Defendant's Motion for Summary Judgment**, using the CM/ECF system, which will send notification of such filing to the following persons:

Steven R. Dunn
5420 LBJ Freeway, Suite 577
Dallas, TX 75240
PH: 214-692-5533
Attorney for Defendant.

By: /s/ Ryan Lee
Ryan Lee